



Honorable Mike K. Nakagawa  
United States Bankruptcy Judge



Entered on Docket  
October 23, 2012

**COHEN-JOHNSON, LLC**  
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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF NEVADA**

In Re:

Bruno Malorni,

Debtor.

Case No.: 12-17406-MKN  
Chapter 11

Hearing Date: October 10, 2012  
Hearing Time: 9:30 a.m.

**ORDER REGARDING MOTION TO VALUE COLLATERAL, "STRIP OFF"**  
**AND MODIFY RIGHTS OF SECURED CREDITOR PURSUANT TO**  
**11 U.S.C. § 506(a), 11 U.S.C. § 1123 AND FRBP 3012 FOR THE REAL PROPERTY**  
**LOCATED AT 3056 TOPAZ STREET, LAS VEGAS, NV 89121**

THE ABOVE MATTER having been heard at the time and date above, the Court finds as follows:

1. That the Debtor's property described as 3056 Topaz Street, Las Vegas, Nevada 89121, Assessor's Parcel No. 162-12-316-023 (the "Property") is valued at \$96,000.00; and
2. That Bank of America N.A.'s claim with regard to the Property is now bifurcated as of the filing date of the Debtor's petition with \$96,000.00 classified as secured and the remaining amount now classified as unsecured.

1           **IT IS THEREFORE ORDERED** that Bank of America N.A.'s secured claim to the  
2 Property is now limited to the value of \$96,000.00 and the remaining balance is "stripped off"  
3 and shall be avoided pursuant to 11 U.S.C. Section 506(a);

4           **IT IS FURTHER ORDERED** that Bank of America N.A.'s secured rights and/or lien  
5 holder rights to the Property are limited to the amount of \$96,000.00 and are terminated with  
6 regard to any amount above and beyond this amount;

7           **IT IS FURTHER ORDERED** that any amount exceeding Bank of America N.A.'s  
8 secured claim in the amount of \$96,000.00 will be reclassified to a general unsecured claim to be  
9 paid pro rata with other general unsecured creditors through the Chapter 11 Plan;

10           **IT IS FURTHER ORDERED** that this Order still applies to any portion of the secured  
11 or unsecured claim by Bank of America N.A. in the event that the debt is assigned or transferred  
12 to another creditor; and

13           **IT IS FURTHER ORDERED** that in the event the instant Chapter 11 dismissed or  
14 converted to a Chapter 7, the instant order shall considered vacated.

15 Respectfully Submitted By:

16 COHEN-JOHNSON, LLC

17  
18 By: /s/ H. Stan Johnson  
19 H. Stan Johnson, Esq.  
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**ALTERNATIVE METHOD REGARDING LOCAL RULE 9021**

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the Court's ruling and that:

\_\_\_\_\_ The Court has waived the requirement of approval under LR 9021(b)(1).

\_\_\_\_\_ No party appeared at the hearing or filed an objection to the motion.

\_\_\_\_\_ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

Counsel appearing:

Unrepresented parties appearing:

Trustee: No appearance at the Hearing; no additional service required.

  X   I certify that this case is under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

Dated this 4th day of September, 2012.

COHEN-JOHNSON, LLC.

By: /s/ H. Stan Johnson

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